

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Stephen W. METZ et al.
Serial No.:	Not Assigned Yet
Title:	PATIENT-CENTRIC DATA ACQUISITION PROTOCOL SELECTION AND IDENTIFICATION TAGS THEREFOR
Filing Date:	Filed Herewith
Examiner:	Not Assigned Yet
Art Unit:	Not Assigned Yet

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the documents listed on the attached Form PTO/SB/08A are being brought to the attention of the Examiner in charge of the above-referenced Application.

The Examiner is respectfully requested to initial the space adjacent to the listing of each document on Form PTO/SB/08A, and return a copy of the initialed Form PTO/SB/08A with the next communication to Applicant, to confirm that these documents have been considered by the Examiner and made of record in this Application.

The below-referenced information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §§1.104(a) and 1.104(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this Application, and that the references be made of record therein and appear among the "References Cited" on any patent that issues therefrom.

This paper is being submitted in accordance with:

- ☒ 37 C.F.R. § 1.97(b):
 - ☒ With the application;
 - ☐ Within 3 months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d);
 - ☐ Within 3 months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application;
 - ☐ Before the mailing of a First Office Action on the merits; or
 - ☐ Before the mailing of a First Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114.
- ☐ 37 C.F.R. § 1.97(c) – after the period specified in 37 C.F.R. § 1.97(b) but before the mailing date of any of a Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in this application, whichever is earlier; and includes:
 - ☐ The required statement made below; or
 - ☐ The **\$180** fee specified in 37 C.F.R. § 1.17(p) for submission of this IDS;
- ☐ 37 C.F.R. § 1.97(d) – after the period specified in 37 C.F.R. § 1.97(c) but on or before payment of the Issue Fee; and includes:
 - ☐ The required statement made below; and
 - ☐ The **\$180** fee specified in 37 C.F.R. § 1.17(p) for submission of this IDS;
- ☐ 37 C.F.R. § 1.97(e) – required statement:
 - ☐ Each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart

foreign application not more than three (3) months prior to the filing of this IDS; or

- ☐ No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this IDS.

If the fee of \$0 is incorrect, please charge any additional fees due, or credit any overpayment, to **Deposit Account No. 07-0845**.

If Examiner has any questions or wishes to discuss this Application, Examiner is kindly encouraged to telephone undersigned.

Respectfully submitted,

Date: Dec. 9, 2003



Tracey R. Loughlin (USPTO Reg. # 51,969)
Attorney for Applicants

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Applicant Number	Not Assigned Yet
Filing Date	Filed Herewith
First Named Inventor	METZ et al.
Group Art Unit	Not Assigned Yet
Examiner Name	Not Assigned Yet
Attorney Docket Number	GEMS 142193XZ (3880)

Sheet

1

of

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number- Kind Code 2 (if known)			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Country Code3 - Number4 - Kind Code 5 (if known)				

Examiner
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Kn wn	
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				First Named Inventor	METZ et al.
				Group Art Unit	Not Assigned Yet
				Examiner Name	Not Assigned Yet
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Sheet	2	of	2		

[illegible]

Examiner Signature		Date Considered	
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